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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David L. Patton

A METHOD FOR PRINTING AND
VERIFYING LIMITED EDITION
STAMPS

Serial No. 09/534,433

Filed 23 March 2000

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 3722

Examiner: Mark T. Henderson

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Paula West
Paula West

6-14-04
Date

APPELLANTS' REPLY BRIEF

In response to the Examiner's arguments presented in paragraph 11 of the Answer, Applicant respectfully submits while Kasper et al. teaches the ability to provide microdots on any supporting sheet media, it does not teach or suggest producing a limited edition official postal stamp having the limitation as taught and claimed by Applicant. Since the Kasper et al. reference is directed to any media generally, it could not teach or disclose, as acknowledged by the Examiner, that the first indicia being a unique ID which identifies the limited edition postal stamp is one out of a predetermined limited number and a third indicia that is not visible under normal viewing conditions for confirming that the limited edition postal stamp is a valid limited edition postal stamp in that the second indicia is not capable of being scanned for reproduction.

The Examiner then attempts to piecemeal Applicant's invention by taking individual pieces of items in the St. Louis Post-Dispatch article and the Ottawa Citizen and combining them even though there is clearly no motivation or suggestion to do so. Applicant respectfully submits that this can only be based on hindsight as there is clearly nothing in any of the individual cited references that would teach or suggest the combination as suggested by the Examiner. Furthermore, even if all of them were capable of being combined, it still lacks the limitation of providing a unique ID that identifies the limited indicia stamp as

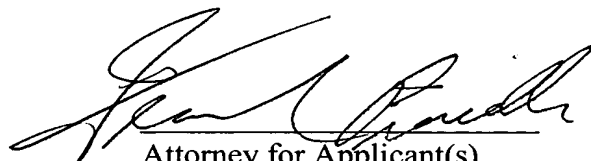
being one out of a predetermined number. The microdots of Kasper et al. simply inhibit the copying of the document. In the present invention, the indicia of the present invention do not inhibit copying, it's just that the indicia is not capable of being scanned for reproduction. Thus, any copied stamp would not have the sufficient information for confirming that the stamp is indeed a limited edition stamp to which the present invention is directed. The present invention assures the authenticity of the limited edition postal stamps.

With regard to the meaning of the language in the claim that "said second indicia is not capable of being scanned for reproduction". It is respectfully submitted that this is not the same thing as being scanned for viewing to which Kasper et al. is directed. The second indicia provided on the limited edition stamp of the present invention is not capable of being scanned for reproduction. That is, it cannot be scanned by a normal copier for reproduction. This is not the same thing as inhibiting the reproduction by reading microdots as taught and disclosed by Gasper et al.

With regard to the response by the Examiner that it would be obvious to provide a third indicia for identifying the printer or location where the limited edition stamp was printed, is not based on any teaching or suggestion of the prior art, but on mere speculation and argument. The claimed indicia are specific features that are designed to provide some information with regard to the specific limited edition stamp to which the present invention is directed. Accordingly, it is respectfully submitted these are limitations that provide functional features that are important to the present invention. Mere argument that it would be obvious to make the suggested change is unsupported by the prior art.

In view of the foregoing and the arguments presented in Applicant's Appeal Brief, Applicants respectfully request that the Board of Patent Appeals and Interference reverse the rejection by the Examiner and mandate allowance of the claims.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank Pincelli", written over a horizontal line.

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